

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

JESUS RIVERA,  
a/k/a "Father,"  
RAFAEL LUGO REYES,  
a/k/a "Bimbo,"  
FILIBERTO ALOMAR SANTOS, and  
KARL SORIANO TORRES,

Defendants.

**PROTECTIVE ORDER**

S2 16 Cr. 500 (RMB)

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 2/6/23

RICHARD M. BERMAN, District Judge:

WHEREAS the Government intends to produce in unredacted form to JESUS RIVERA, a/k/a "Father," the defendant, certain video and audio recordings, photographs, cell phone information, and other materials pursuant to Federal Rule of Criminal Procedure 16 ("Rule 16"), which contain sensitive, confidential, or personal identifying information;

WHEREAS, the Government seeks to protect the sensitive, confidential, or personal identifying information contained in the materials it produces pursuant to Rule 16;

WHEREAS the defendant, through his counsel, consents to the entry of this Order;

IT HEREBY IS ORDERED:

1. Copies of discovery materials produced by the Government in this action bearing "confidential" stamps or otherwise designated as "confidential" and/or electronic

discovery materials designated as "confidential" by the Government are deemed "Confidential Information";

2. Confidential Information disclosed to the defendant, or to the defendant's attorneys, respectively, during the course of proceedings in this action:

(a) shall be used by the defendant or his counsel only for purposes of the defense of this action;

(b) shall be kept in the sole possession of the defendant's counsel and maintained in a secure container and location;

(c) shall not be reviewed or maintained by the defendant outside the presence of his counsel;

(d) shall not be copied or otherwise recorded by the defendant;

(e) shall not be disclosed or distributed in any form by the defendant or his counsel except as set forth in paragraph 2(f) below;

(f) may be disclosed only by the defendant's counsel and only to the following persons (hereinafter "Designated Persons"):

(i) investigative, secretarial, clerical, paralegal, and student personnel employed full-time or part-time by the defendant's counsel;

(ii) independent expert witnesses, investigators, or advisors retained by the defendant's counsel in connection with this action;

(iii) other prospective witnesses, and their counsel, to the extent deemed necessary by defense counsel, for trial preparation;

(iv) such other persons as hereafter may be authorized by the Court upon a motion by the defendant; and

(g) shall be returned to the Government following the conclusion of the trial of the above-referenced action or upon the defendant's sentencing, as the case may be, and any all copies made of said material shall be shredded, erased, and/or destroyed, as the case may be.

3. The defendant and his counsel shall provide a copy of this Order to Designated Persons to whom they disclose Confidential Information pursuant to paragraph 2(e). Prior to disclosure of Confidential Information to Designated Persons, pursuant to paragraph 2(f), any such Designated Person shall agree to be subject to the terms of this Order by signing a copy hereof and stating that they "Agree to be bound by the terms herein," and providing such copy to the defendant's counsel. However, the defendant and his or her respective counsel need not obtain signatures from any member of the defense team (i.e., attorneys, experts, consultants, paralegals, investigators, support personnel, and secretarial staff involved in the

representation of the defendant in this case), all of whom are nonetheless bound by this Protective Order.

3. The provisions of this Order shall not be construed as preventing the disclosure of any information in any motion, hearing, trial, or sentencing proceeding held in connection with the above-referenced action or to any District Judge or Magistrate Judge of this Court (or their staff) for purposes of the above-referenced action.

SO ORDERED:

Dated: New York, New York  
~~January~~ <sup>February</sup> 6, 2023

*RMB*

HONORABLE RICHARD M. BERMAN  
United States District Judge

AGREED AND CONSENTED TO:

Dated: December 28, 2022  
New York, New York

GEOFFREY S. BERMAN  
United States Attorney  
Southern District of New York

By: 

Alex Rossmiller  
Assistant United States Attorney

<sup>Feb 6</sup> 2023  
Dated: ~~December~~ <sup>February</sup> 6, 2023  
New York, New York

JESUS RIVERA

By: 

Mauricio Guzman, Esq.  
Counsel for ~~Filiberto Alomar Santos~~  
*Jesus M. Rivera*